

*Transfer of Ownership  
Application  
Packet*



Prepared by:  
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## *General Information*

This notebook contains general liquor/beer licensing information, as well as all local and State forms necessary to apply for such licenses. An appointment with the City Clerk's Office must be arranged to review this notebook before you begin the process or submit your application.

All forms must be typed or printed in black ink, accurate, complete in all aspects, and properly executed. All applications must be submitted along with City and State application and license fees. Remember, the \$25 you paid for this notebook is deductible from your City application fees at the time of submittal for processing, with proof of payment. ***The City Clerk's Office cannot process an incomplete application.***

You may want to contact the following Department/Divisions for information regarding additional information and/or licenses that might be required as part of your liquor license application:

①	Finance Department (Sales Tax/Business Licensing)	350.9733
①	Community Development (Planning/Zoning/Signage)	350.9780
①	Community Development (Building Inspections/Permits)	350.9830
①	Union Colony Fire & Rescue Authority	350.9514
①	Police Department (Liquor Investigations)	350.9681
①	Weld County Health Department (Food Service License)	304.6415
①	Colorado Liquor Enforcement Division (Greeley Office)	356.3992

Should you need additional information or have any questions, please feel free to contact the City Clerk's Office anytime at 350.9743.

Good luck with your application process!

## *Process upon Submittal...*

The City of Greeley Liquor Licensing Authority, an Individual Hearing Officer appointed by City Council, considers liquor-related matters on an as-needed basis. Please consult the City Clerk's Office for scheduling information.

Upon submittal of a liquor/beer application, the neighborhood boundaries and public hearing date will be set by the City Clerk's Office within ten (10) days. Written notification of the proposed boundaries, public hearing date, and an Acceptance of Boundaries will then be provided to the applicant by mail for the purposes of proving the needs and desires of the neighborhood, as provided by Regulation 47-107.1(C) of the Colorado Liquor and Beers Codes. Written notification of the public hearing date will be provided to parties in interest within 500 feet of your proposed liquor licensed site, in addition to the posting of the premises and legal publication.

The public hearing date will be set not less than 30 days from the date of submittal of the application, as provided by Section 12-47-136, of the Colorado Revised Statutes, and the applicant must be present at the public hearing to offer testimony and answer any questions posed by the Liquor Licensing Authority. Please refer to *Procedural Order to be Followed at Public Hearing* for information expected to be presented by the applicant.

## *Procedural Order to be followed at Public Hearing*

### *City Staff Presentation:*

The City Clerk's Office will provide the Clerk's Administrative Report, which will include status of application, proper notice of public hearing, conformance with applicable City codes and Health Department regulations as relayed by the City's Liquor Licensing Administrative Review Team, and proper communication of investigative background results to applicant. Staff will then be available for questions from the Liquor Licensing Authority relative to the reports provided prior to the applicant's presentation.

### *Applicant's Presentation:*

The applicant, manager, or representative of the applicant will then be provided the opportunity to respond to any issues or concerns reported in the City Staff Presentation, to provide information about past experience in the sale/service of alcohol beverages and that of the proposed manager in charge of day-to-day operations, financial backers of proposed establishment, description of the character of the neighborhood of proposed site, proximity of the site to area schools and universities, and evidence, including any petitions or letters, regarding the reasonable requirements and the desires of the inhabitants of the neighborhood for the outlet proposed.

In addition to the above information, the applicant should also be prepared to discuss in detail the answers provided in the *Attachment to Liquor/3.2% Beer Retail License Application* regarding the description and the nature of the proposed business operations such as days and hours of operation, entertainment, number of employees, security plans, if any, training and operating procedures employees will follow in the safe and legal sale/service of alcohol beverages, and evidence relating to the likelihood that the applicant will conduct this proposed operation in accordance with applicable local and State laws, rules and regulations.

The applicant should then remain available for questions from the Liquor Licensing Authority and/or City staff and follow up discussion after any evidence from interested parties during the public hearing is offered.

### *Evidence from Interested Parties:*

Interested parties are defined by law as "*residents of the neighborhood under consideration, owners or managers of business, located in the neighborhood, and the applicant*".

### *Liquor Authority Decision:*

Decision approving, denying, or continuing consideration of the application.

## **Applicant Fingerprinting Procedures**

Fingerprinting can be done at the Weld County North Jail Complex at 2110 O Street. *Fingerprint cards must be obtained directly from the Greeley City Clerk's Office and returned to the City Clerk's Office completed as part of your application packet.*

### **Take with you to the Weld County North Jail Complex:**

- ✓ Cash or check in the amount of \$10 per individual being printed payable to Weld County Sheriff's Office
- ✓ Valid photo identification such as a driver's license, ID card, etc.
- ✓ Fingerprint card(s), **making sure to note on your Fingerprint Card that this is being done for liquor licensing purposes**

### **Bring with you to the City Clerk's Office after being printed:**

- ✓ Completed Fingerprint Card(s)
- ✓ Certified funds, money order, or business check in the amount of \$38.50 per individual being printed, made out to the Colorado Bureau of Investigations (CBI)
- ✓ Completed Liquor Application and all attachments

**Chapter 6.16**  
**Alcohol Beverages**

*Article I. Local Licensing Authority; Definition*

**6.16.010 State law applicable.**

Title 12, Articles 46, 47 and 48, C.R.S., and the Rules and Regulations of the Executive Director of the Colorado Department of Revenue, as the State Licensing Authority, effective January 1, 2003, with all subsequent supplements thereto, are adopted by the City. A copy of these provisions is on file with the City Clerk and is available for inspection. The same is incorporated and adopted as fully as if set out at length in this Chapter, except as otherwise provided in this Chapter. (Ord. 1, 2003 §1; Ord. 4, 1995 §2(part); Ord. 23, 1982 §2(part))

**6.16.020 Licensing authority established.**

(a) There is established a Local Licensing Authority, which shall have and is vested with the authority to grant or refuse licenses for the sale at retail of malt, vinous or spirituous liquors and fermented malt beverages, as provided by law, conduct investigations as are required by law, and suspend or revoke such licenses for cause in a manner provided by law which shall be a Hearing Officer appointed by the City Council by resolution. Such Authority shall have all of the powers of the local licensing authority, as set forth in Articles 46, 47 and 48, of Title 12, C.R.S.

(b) The Hearing Officer shall be appointed by the City Council by resolution and may be removed with or without cause by a majority vote of the City Council. (Ord. 10, 2001 §1(part); Ord. 4, 1995 §2(part); Ord. 23, 1982 §2(part))

**6.16.025 Definition.**

(a) Certain terms and expressions used herein shall have the following meanings:

*Applicant* means and includes:

- a. If an individual, that person making an application for a license under this Chapter;
- b. If a partnership, all the partners of the partnership which are making application for a license under this Chapter;
- c. If a corporation, any officer, director, manager or stockholder therein; or
- d. If a limited liability company, any member therein.

*Authority or Licensing Authority* means the Hearing Officer appointed by the City Council by resolution.

*Hearing Officer* means the individual, licensed to practice law in Colorado, appointed by the City Council, to carry out the duties as described in Section 6.16.020 and other rules, regulations, policies and procedures as may be established.

*Manager* means and includes that person or those persons who manage, direct, supervise, oversee and administer the acts, transactions and acts of servants of the establishments governed by this Chapter.

*Person* includes a natural person, partnership, association, company, corporation, limited liability company, organization or manager, agent, servant, officer or employee of any of them.

(b) All other words and phrases used in this Chapter shall have the meanings attached by the state statutes regulating the sale of liquor and fermented malt beverages, or if not otherwise defined by law, are used in their common, ordinary and accepted sense and meaning. (Ord. 10, 2001 §1(part); Ord. 29, 2000 §1; Ord. 4, 1995 §2(part); Ord. 23, 1982 §2(part))

## *Article II. Licenses*

### **6.16.030 License required.**

It is unlawful for any person to sell or to offer for sale at retail within the City any fermented malt beverage or any malt, vinous or spirituous liquors, as those terms are defined by state law, without first having been granted and issued a license to do so by the City. (Ord. 4, 1995 §2(part); Ord. 23, 1982 §2(part))

### **6.16.040 Secretary of the Authority.**

The City Clerk shall receive all applications for licenses, and shall issue all licenses granted by the Authority, upon receipt of such license fees and taxes as are required by law and this Chapter. The City Clerk shall serve as the official secretary of the Authority and shall designate a person or persons to provide the necessary secretarial and reporting services for the Authority. The City Clerk or his or her designee shall attend the meetings of the Authority. All public notice by publication in a newspaper and by the posting of signs, as required by the Colorado Liquor Code of 1935, as amended, shall be accomplished by the City Clerk. (Ord. 4, 1995 §2(part); Ord. 23, 1982 §2(part))

### **6.16.050 Application.**

The applicant shall fully complete an application for license as required by the State Licensing Authority. No application for a new license or for the renewal of an existing license, or for the transfer of location or ownership of an existing license shall be submitted to the City until the applications have been complete in all respects. (Ord. 4, 1995 §2(part); Ord. 23, 1982 §2(part))

### **6.16.060 Documents to accompany application.**

The City Clerk shall accept no application that is not complete in every detail; if any application is deposited with the City Clerk and found upon examination to contain any omission or error, it shall be returned to the applicant for completion or correction without further action either by the City Clerk or the Authority. No application shall be deemed complete unless accompanied by the following:

- (1) All forms required by the State Licensing Authority, complete in every detail;
- (2) Payment in full of the City and state fees;
- (3) Plans and specifications of the existing or proposed building, including points of ingress and egress, storage, bar location, fixed equipment and dimensions of area to be licensed;
- (4) Lease or deed, showing possession of the premises to be licensed for period to cover term of the liquor license; and
- (5) Such other information or evidence as may from time to time be required by the Licensing Authority for the purpose of ensuring that the premises to be licensed will be lawfully operated and that the health, welfare, safety and morals of the community will not be adversely affected should the license be issued. (Ord. 1, 2003 §2; Ord. 4, 1995 §2(part); Ord. 20, 1990 §§1, 2; Ord. 23, 1982 §2(part))

### **6.16.090 License application hearings; procedure.**

The procedures set forth in Title 12, Chapters 46 and 47, C.R.S., and the regulations that may from time to time be adopted by the State Licensing Authority, shall be followed in all liquor license application hearings before the Licensing Authority. (Ord. 4, 1995 §2(part); Ord. 23, 1982 §2(part))

### **6.16.095 Public hearing notice.**

(a) In addition to following the posting and publication requirements included in the Colorado beer and liquor codes, the City will make all reasonable attempts to mail a courtesy notice of any public hearing at which a new, transfer of ownership or change of location application is to be considered to those property owners within five hundred (500) feet, generally, of the proposed site.

(b) The information typically provided in the courtesy letter shall contain the same information as that required for the sign and publication and a statement that additional information about the application is available at the City Clerk's office.

(c) Failure of the City to provide all forms of public notice as provided herein shall not affect the validity of any hearing or determination by the Licensing Authority. (Ord. 1, 2003 §5; Ord. 29, 2000 §3)

**6.16.100 Public hearing.**

(a) The Licensing Authority may promulgate rules of procedure for the conduct of all hearings on applications for licenses or for revocation or suspension of licenses.

(b) The Licensing Authority shall have the power to administer oaths and issue subpoenas to require the presence of persons and the production of papers, books and records necessary to the determination of any hearing which the Licensing Authority is authorized to conduct. It shall be unlawful for any person to fail to comply with any subpoena issued by the Authority in the proper conduct of its hearings. The Municipal Court shall enforce the subpoenas of the Licensing Authority and, upon good cause shown, shall enter its orders compelling witnesses to attend and testify or produce books, records or other evidence, and shall impose penalties or punishment for contempt in case of failure to comply with such orders.

(c) A subpoena shall be served in the same manner as a subpoena issued by the District Court of the State. Upon failure of any witness to comply with such subpoena, the City Attorney shall, at the direction of the Authority:

(1) Petition any judge of the Municipal Court, setting forth that due notice has been given of the time and place of attendance of the witness and the service of the subpoena, that the Court, after hearing evidence in support of or contrary to the petition, enter its order compelling the witness to attend and testify or produce books, records or other evidence, under penalty of punishment for contempt in case of willful failure to comply with such order of court; or

(2) Petition the District Court in and for the county, setting forth that due notice has been given of the time and place of attendance of the witness and the service of the subpoena, that the court after hearing evidence in support of or contrary to the petition, enter its order as in other civil actions, compelling the witness to attend and testify or produce books, records or other evidence, under penalty of punishment for contempt in case of willful failure to comply with such order of court.

(d) Any attorney at law who appears before the Licensing Authority at any hearing shall be required to state the names and addresses of all persons whom he or she has been authorized to represent at the hearing. (Ord. 4, 1995 §2(part); Ord. 23, 1982 §2(part))

**6.16.120 Fees.**

(a) The following fees shall be charged for liquor licenses and shall be paid to the City Clerk prior to consideration by the Licensing Authority:

(1) Application fee for any class of liquor license: five hundred dollars (\$500.00);

(2) Application for transfer of location: five hundred dollars (\$500.00);

(3) Application for transfer of ownership: four hundred fifty dollars (\$450.00);

(4) Application for renewal of license: fifty dollars (\$50.00);

(5) Application fee for late renewal: five hundred dollars (\$500.00);

(6) Application for temporary liquor permit: one hundred dollars (\$100.00);

(7) Application for manager's registration: seventy-five dollars (\$75.00);

(8) Application for corporate or limited liability company report of changes: one hundred dollars (\$100.00) if not already collected by State Licensing Authority;

(9) Application for liquor application packet: twenty-five dollars (\$25.00) deductible from new or transfer of ownership application fee when submitted;

(10) Fee for duplicate license: fifty dollars (\$50.00);

(11) Fee for change of trade name: fifty dollars (\$50.00);

(12) Fee for modification of premises: one hundred fifty dollars (\$150.00);

(13) Annual license and occupation fees:

<i>Type</i>	<i>License Fee</i>	<i>Occupation License Fee</i>
Retail liquor store	\$ 22.50	\$ 500.00
Liquor licensed drugstore	22.50	500.00
Beer & wine	48.75	600.00
Hotel/restaurant	75.00	1,500.00
Tavern	75.00	2,000.00
Club	41.25	500.00
Arts	41.25	500.00
Racetrack	75.00	2,000.00
3.2% beer, on premise	3.75	500.00
3.2% beer, off premise	3.75	250.00
3.2% beer, on & off premise	3.75	500.00
Special event, per day, 3.2% beer	10.00	
Special event, per day, malt, vinous, & spirituous liquor	25.00	
Hotel/ restaurant manager investigation	75.00	
Bed & breakfast permit	25.00	
Optional premises	75.00	2,000.00
Brew pub	75.00	1,500.00
Mini bar	325.00	

(14) All appropriate state annual license fees shall be paid to the City Clerk along with the City fees designated in Subsection (9) above.

(b) No rebate of any fees paid for any license issued hereunder shall be made except upon approval of the Licensing Authority. (Ord. 1, 2003 §7; Ord. 29, 2000 §4; Ord. 56, 1997 §§1, 2; Ord. 42, 1996 §1; Ord. 4, 1996 §§1, 2; Ord. 4, 1995 §2(part); Ord. 20, 1990 §§3, 4; Ord. 51, 1989 §1; Ord. 86, 1985 §1; Ord. 23, 1982 §2(part))

**6.16.133 Penalty guidelines.**

Violations of any provisions of this Chapter shall result in penalties according to the generally accepted and practiced state penalty guidelines provided below. Nothing in the following guidelines is meant to restrict the local licensing authority from issuing a lesser penalty, a higher penalty, or additional penalties as allowed by this Code or state law, up to an including suspension or revocation of a liquor license or the imposition of a fine in lieu of suspension as provided under the provisions of Section 12-47-601, C.R.S.

<b>Code Violation</b>	<b>Suspension</b>
<i>Sale to Minor:</i>	
<b>First Incident</b>	
1 Charge	15 days total, 5 served and 10 held in abeyance for a period of one year from date of hearing, pending no further violations.
2 Charges	30 days total, 10 served and 20 held in abeyance for a period of one year from date of hearing, pending no further violations.
3 + Charges	45 days total, 15 served and 30 held in abeyance for a period of one year from date of hearing, pending no further violations.
<b>Second Incident Within 1 Year</b>	Days held in abeyance automatically imposed from first incident, plus additional suspension as stated in first incident above.
<i>Purchase of Liquor from Someone Other Than a Wholesaler</i>	
<b>First Incident</b>	
1 Charge	10 days total, 3 served and 7 held in abeyance for a period of one year from date of hearing, pending no further violations.
2 Charges	10 days total, 5 served and 5 held in abeyance for a period of one year from date of hearing , pending no further violations.
<i>Sale to Intoxicated Patron:</i>	
<b>First Incident</b>	
1 Charge	15 days total, 5 served and 10 held in abeyance for a period of one year from date of hearing, pending no further violations.
2 Charges	30 days total, 10 served and 20 held in abeyance for a period of one year from date of hearing, pending no further violations.

3 + Charges	45 days total, 15 served and 30 held in abeyance for a period of one year from date of hearing, pending no further violations.
Second Incident Within 1 Year	Days held in abeyance automatically imposed from first incident, plus additional suspension as state in first incident above.
<i>Failure to Meet Food Requirement (H &amp; R/Brew Pubs):</i>	
First Incident	15 days total, 5 served and 10 held in abeyance for a period of one year from date of hearing, pending no further violations, with 30 days to comply.
Second Incident Within 1 Year	Days held in abeyance automatically imposed from first incident, plus additional suspension as stated in first incident above.
<i>Video Poker Gambling:</i>	
First Incident	45 days total, 15 served and 30 held in abeyance for a period of one year from date of hearing, pending no further violations.
Second Incident	Days held in abeyance automatically imposed from first incident, plus additional suspension as stated in first incident above.
<i>Permitting Illegal Gambling:</i>	
First Incident	10 days total, 3 served and 7 held in abeyance for a period of one year from date of hearing, pending no further violations.
Second Incident	45 days total, 15 served and 30 held in abeyance for a period of one year from date of hearing, pending no further violations.
Third Incident	Days held in abeyance automatically imposed from first incident, plus additional suspension as stated in first incident above.

*Failure to Maintain Adequate Books/Records:*

First Incident	15 days total, 5 served and 10 held in abeyance for a period of one year from date of hearing, pending no further violations
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Second Incident 30 days total, 10 served and 20 held in abeyance for a period of one year from date of hearing, pending no further violations.

*Sale After Legal Hours:*

First Incident 10 days total, 3 served and 7 held in abeyance for a period of one year from date of hearing, pending no further violations.

Second Incident 30 days total, 10 served and 20 held in abeyance for a period of one year from date of hearing, pending no further violations.

*Permitting Disturbances:*

First Incident 30 days total, 10 served and 20 held in abeyance for a period of one year from date of hearing, pending no further violations.

Second Incident Days held in abeyance automatically imposed from first incident, plus additional suspension as stated in first incident above.

*Violations on Follow-up Inspections:*

For each incident 3 days total, 1 served and 2 held in abeyance for a period of one year from date of hearing, pending no further violations.

*Failure to Report Manager, Corporate, Financial Change:*

First Incident 5 days total, all 5 held in abeyance for a period of one year from date of hearing, pending no further violations.

Second Incident 10 days total, 3 served and 7 held in abeyance for a period of one year from date of hearing, pending no further violations.

*Underage Employee Selling or Serving:*

First Incident  
1 Charge 7 days total, 2 served and 5 held in abeyance for a period of one year from date of hearing, pending no further violations.

*Underage Employee Selling or Serving:*

2 Charges	14 days total, 4 served and 10 held in abeyance for a period of one year from date of hearing, pending
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	no further violations.
3 Charges	30 days total, 10 served and 20 held in abeyance for a period of one year from date of hearing, pending no further violations.
<i>Shake a Day (Dice or Dice Cup Pools):</i>	
1 Charge	15 days total, 5 served and 10 held in abeyance for a period of one year from date of hearing, pending no further violations.
2 Charges	30 days total, 10 served and 20 held in abeyance for a period of one year from date of hearing, pending no further violations.
<i>Altered Liquor:</i>	
1 Charge	15 days total, 5 served and 10 held in abeyance for a period of one year from date of hearing, pending no further violations.

(Ord. 1, 2003 §9)

**6.16.135 Conditions imposed on suspension or renewal.**

The Licensing Authority shall have the power to impose on a licensee as a condition of a period of suspension held in abeyance or as a condition of renewal, any condition(s) reasonably related to the offense(s) leading to the suspension or the conduct of the business with which the license is to be renewed. (Ord. 4, 1995 §2(part))

**6.16.138 Violation; penalty.**

The standards for payment of a fine in lieu of suspension shall be as provided for in Section 12-47-601, C.R.S., and shall apply to any licensee who violates or whose employees violate any terms of this Chapter or of Title 12, Articles 46, 47 and 48, C.R.S., or the rules and regulations related thereto. Such licensee shall be subject to suspension or revocation of his or her license. (Ord. 1, 2003 §10)

**6.16.170 Fees not refundable.**

In the event a license is suspended or revoked, as provided in this Article, no part of the fees paid therefor shall be returned to the holder. (Ord. 1, 2003 §1; Ord. 4, 1995 §2(part); Ord. 23, 1982 §2(part))

**6.16.180 Buildings to meet standards.**

(a) No license shall be issued, renewed or transferred unless the building in which the business or licensed activity is carried on meets all of the requirements of the zoning, building, electrical, plumbing, fire, mechanical, housing and dangerous building codes of the City.

(b) A special event permit allowing alcohol beverages on the premises may be issued under circumstances where the premises do not comply with requirements of the Uniform Fire Code, if the following requirements are satisfied:

(1) The special event permit applicant shall arrange for a fire watch, comprised of a minimum of two (2) persons, to be conducted during the entire time of the special event occurrence. Arrangements for hire and payment of fire watch personnel shall be the responsibility of the applicant.

(2) If the Chief of the Greeley Fire Department, or his or her designee, requires that a fire watch for a particular special event be staffed by more than two (2) persons, the applicant must arrange for a fire watch in accordance with the directions of the Fire Chief or his or her designee.

(3) The fire watch for any special event occurring on premises which are not strictly in compliance with the Uniform Fire Code must be staffed by persons who are state certified fire fighters with direct radio contact with Weld County 911 Emergency Dispatch.

(4) The special event permit applicant must finalize arrangements for the required fire watch prior to issuance of the liquor license. (Ord. 29, 2000 §8; Ord. 4, 1995 §2(part); Ord. 23, 1982 §2(part))

#### **6.16.190 Continuation of existing licenses.**

Any license issued by the Licensing Authority of the City prior to the effective date of the ordinance codified in this Chapter shall remain in full force and effect until the expiration of such license under the former law; provided, however, that any suspension, revocation, renewal or transfer of any such license shall be governed by this Chapter. (Ord. 4, 1995 §2(part); Ord. 23, 1982 §2(part))

#### **6.16.205 Bed and breakfast permits.**

(a) Required. It is unlawful for a bed and breakfast establishment to provide, by the drink only, malt beverages or malt, spirituous or vinous liquors, unless such establishment, having no more than twenty (20) sleeping rooms, shall have acquired a permit from the local Licensing Authority for the provision of such beverages, for no more than four (4) hours per day, in accordance with state statutes.

(b) Application; form; handling fee.

(1) The applicant shall fully complete an application for a bed and breakfast permit as required by the State Licensing Authority. Pursuant to authorization of Section 12-47-137(2)(c) of the Colorado Liquor Code, applicants for bed and breakfast permits in the City shall not be required to establish the reasonable requirements of the neighborhood. However, no application for a bed and breakfast permit shall be submitted to the City until the application has been otherwise completed in all respects.

(2) There shall accompany each application a handling fee to defray actual and necessary expenses and the cost of processing the application in the amount provided in Section 6.16.120, together with such other fees as are required by the State Licensing Authority.

(c) Documents to accompany application. Every application for a bed and breakfast permit shall be accompanied by the following:

(1) Name and address of the person(s) and/or entity or entities who are in charge of operation of the bed and breakfast establishment;

(2) Information and diagram picturing and describing the proposed licensed premises, including measurements of floor space, square footage and capacity;

(3) Address of the proposed licensed premises location; and

(4) Such other information or evidence as may, from time to time, be required by the Licensing Authority for the purpose of insuring that the licensed premises will be lawfully operated and conducted and that the health, welfare, safety and morals of the community will not be adversely affected by reason of the operation of the licensed premises within the community. (Ord. 4, 1995 §2(part))

#### **6.16.215 Optional premises licenses.**

(a) The following standards for the issuance of optional premises licenses or for optional premises for a hotel and restaurant license are hereby adopted pursuant to the provisions of Section 12-47-135.5, C.R.S. These standards adopted herein shall be considered in addition to all other standards applicable to the issuance of licenses under the Colorado Liquor Code for optional premises license or for optional premises for a hotel and restaurant license. These two types of licenses for optional premises will be collectively referred to as "optional premises" in these standards unless otherwise provided.

(b) Eligible facilities. An optional premises may only be approved when that premises is located on or adjacent to an outdoor sports and recreational facility as defined in Section 12-47-103, C.R.S. The types of outdoor sports and recreational facilities in the City which may be considered for an outdoor premises license include the following:

(1) Country club;

- (2) Golf courses and driving ranges;
- (3) Ice skating areas;
- (4) Ski areas;
- (5) Swimming pools;
- (6) Parks and arenas.

There are no restrictions on the minimum size of the outdoor sports and recreational facilities which may be eligible for the approval of an optional premises license. However, the local Licensing Authority may consider the size of the particular outdoor sports or recreational facility in relationship to the number of optional premises requested for the facility.

(c) Number of optional premises. There are no restrictions on the number of optional premises which any one (1) licensee may have on his or her outdoor sports or recreational facility. However, any applicant requesting approval of more than one (1) optional premises shall demonstrate the need for each optional premises in relationship to the outdoor sports or recreational facility and its guests.

(d) Submittal requirements. When submitting a request for the approval of an optional premises, in addition to meeting the license application requirements of this Chapter 6.16, an applicant shall also submit the following information:

- (1) A map or other drawing illustrating the outdoor sports or recreational facility boundaries and the approximate location of each optional premises requested.
- (2) A description of the method which shall be used to identify the boundaries of the optional premises when it is in use.
- (3) A description of the provisions which have been made for storing malt, vinous and spirituous liquors in a secured area on or off the optional premises for the future use on the optional premises.

(e) Advance notification. Pursuant to Section 12-47-135(6) and (7), C.R.S., no alcohol beverages may be served on the optional premises until the licensee has provided written notice to the Police Department Drug and Alcohol Enforcement Division forty-eight (48) hours prior to serving alcohol beverages on the premises, unless notice is waived by the Authority. Such notice must contain the specific days and hours on which the optional premises are to be used. In this regard, there is no limitation on the number of days which a licensee may specify in each notice. However, no notice may specify any date of use which is more than one hundred eighty (180) days from the notice date.

(f) Fees for application and processing of an optional premises license shall be as set forth in Sections 12-47-123(1)(h.2) and 12-47-139(1)(d.2), C.R.S., and Section 6.16.120 of this Code. (Ord. 29, 2000 §8; Ord. 4, 1995 §2(part))

### *Article III. General Provisions; Unlawful Acts*

#### **6.16.220 Licensee to report disorderly conduct.**

Each licensee shall conduct his or her establishment in a decent, orderly and respectable manner, and shall not permit within or upon the licensed premises the loitering of habitual drunkards or intoxicated persons, lewd or indecent displays, profanity, rowdiness, undue noise or other disturbance or activity offensive to the sensitivities of the average citizen, or to the residents of the neighborhood in which the establishment is located. (Ord. 4, 1995 §2(part); Ord. 23, 1982 §2(part))

#### **6.16.230 Lighting in licensed premises.**

All licensees shall be required to maintain a level of light within the licensed premises which would permit the checking of identification materials without resort to other lighting. (Ord. 4, 1995 §2(part); Ord. 23, 1982 §2(part))

#### **6.16.240 Licensed premises to be open for inspection.**

All premises licensed under this Chapter shall be open to inspection by the Police Department, the County Health Department, the State Licensing Authority and any other federal, state, county or City agency which is permitted or required by law to inspect licensed premises. It is unlawful for the licensee, its employees or agents or for any other

person to refuse to permit any such inspection of the licensed premises or to otherwise interfere with any such inspection. (Ord. 4, 1995 §2(part); Ord. 23, 1982 §2(part))

#### **6.16.250 License requirements.**

The licensee shall be a resident of the State and, if a corporation, must be incorporated under the laws of the State and duly qualified to do business in the State. If a nonresident corporation, partnership or limited liability company wishes to hold a liquor license within the City pursuant to this Code and the Colorado Revised Statutes, such entity shall be properly registered and licensed to do business within the State by the Secretary of State. (Ord. 4, 1995 §2(part); Ord. 23, 1982 §2(part))

#### **6.16.260 Character and reputation requirements.**

The licensee shall be of good moral character and reputation. No license shall be issued to or held by any corporation if any of its officers, directors or stockholders holding over ten percent (10%) of the outstanding and issued stock thereof is not of good moral character and reputation.

(1) In determining whether an applicant for a license or a licensee is of good moral character, the Licensing Authority shall be governed by the provisions of Section 24-5-101, C.R.S.

(2) In investigating the character of an applicant or a licensee, the Licensing Authority may have access to criminal record information furnished by a criminal justice agency subject to any restrictions imposed by such agency. In the event the Licensing Authority takes into consideration information concerning the applicant's criminal history record, the Licensing Authority shall also consider any information provided by the applicant regarding such criminal history record, including but not limited to evidence of rehabilitation, character references and educational achievements, especially those pertaining to the period of time between the applicant's last criminal conviction and the consideration of his or her application for a license.

(3) As used in this Section, *criminal justice agency* means any federal, state or municipal court or any governmental agency or subunit of such agency which performs the administration of criminal justice pursuant to a statute or executive order and which allocates a substantial part of its annual budget to the administration of criminal justice. (Ord. 4, 1995 §2(part); Ord. 56, 1994 §1; Ord. 23, 1982 §2(part))

#### **6.16.270 Open containers in certain public areas.**

(a) It is unlawful for any person to serve, consume or have any open container of liquor or fermented malt beverage when on, in or using, by conveyance or otherwise, any public street, parking lot, alley, park, public place, avenue or sidewalk within the following designated areas in the City: the north boundary of 6th Street on the north, the west boundary of the Union Pacific Railroad tracks on the east, the south boundary of 16th Street on the south, the west boundary of 14th Avenue on the west; and also the Glenmere Park area and adjacent streets, being all of Glenmere Park and of the following streets: all of 14th Avenue from the north side of the intersection of Glenmere Boulevard and 14th Avenue to the south side of the intersection of Lakeside Drive and 14th Avenue, all of Lakeside Drive from the east side of its intersection with 14th Avenue to the west side of its intersection with Glenmere Boulevard, all of Glenmere Boulevard from the west side of its intersection with 17th Avenue to the east side of its intersection with 14th Avenue, all of Duckwalk Lane and all of Prospect.

(b) This Section shall not apply to the purchase or consumption of alcohol beverages from a group or organization holding a special event, which event is occurring on or near a designated public street, avenue, sidewalk, alley, parking lot, park or public place within the City for which a special event permit has been obtained pursuant to Title 12, Article 48, C.R.S.

(c) This Section shall not apply to the serving or consumption of alcohol beverages within the premises of the Union Colony Civic Center, recreation center, senior citizen center, ice center or the museum when the serving or consumption of alcohol beverages is in conjunction with an event under the control of an authorized liquor licensee or at authorized social gatherings (such as banquets, luncheons, wedding receptions) held within the confines of those facilities.

(d) It is unlawful for any person to serve, consume or have an open container of liquor or fermented malt beverage when on, in or using, by conveyance or otherwise, the premises of the Jesus Rodarte Cultural Center. (Ord. 13, 2004 §1; Ord. 1, 2003 §14; Ord. 29, 2000 §8; Ord. 46, 1998 §1; Ord. 4, 1995 §2(part); Ord. 56, 1994 §1; Ord. 118, 1985, §1; Ord. 89, 1984 §1; Ord. 23, 1982 §2(part))

#### **6.16.272 Restrictions in Lincoln Park for alcohol.**

## Possession of alcohol restricted

(a) It is unlawful for any person to serve, consume, possess, or have any container or cup of spirituous, vinous or malt liquor or fermented malt beverage in Lincoln Park, located between 7<sup>th</sup> to 9<sup>th</sup> street and 9<sup>th</sup> to 10<sup>th</sup> avenue.

(b) This section shall not apply to areas contained within the licensed premises of a liquor license issued by the local Liquor Authority.

That a person is a bonafide liquor delivery person on route to make such deliveries would be an absolute defense to a violation of this section.

(c) Notwithstanding any other part of section 6.16, a violation of this specific section 6.16.272 shall be punishable under 1.32. of this Municipal Code. (Ord. 26, 2006)

### **6.16.275 Restrictions in Island Grove Park.**

(a) A person commits a violation of this Section if he or she serves, consumes or possesses any container which contains spirituous, vinous or malt liquor or fermented malt beverage within the area boundaries of Island Grove Park on any calendar day during which the Greeley Independence Stampede or the Greeley Fiesta is being conducted.

(b) This Section shall not apply to areas contained within the licensed premises of a liquor license issued by the local Liquor Authority. (Ord. 1, 2003 §15; Ord. 4, 1995 §2(part))

### **6.16.290 Elimination of distance requirements.**

As authorized by Section 12-47-313(d)(III), C.R.S., the Licensing Authority hereby eliminates the distance restrictions for all classes of licenses. (Ord. 29, 2000 §7; Ord. 4, 1995 §2(part); Ord. 54, 1991 §1)

### **6.16.295 Teen night/fight night.**

(a) No business establishment holding a license of any classification pursuant to the Colorado Beer Code, Section 12-46-101 *et seq.*, C.R.S., or the Colorado Liquor Code, Section 12-47-101 *et seq.*, C.R.S., shall promote, hold, conduct or allow in its premises to be promoted, held or conducted any "teen night" or similar event, in which underage persons are specially solicited, attracted and/or invited by the licensee or anyone recruited by the licensee on the licensee's behalf to the licensed premises during evening hours after 8:00 p.m. of any day during which the establishment is open for business, and during which time adult patrons are present primarily for the purpose of consuming alcohol beverages, except that this Section shall not apply to licensed premises in which multiple facilities are located and at such times as two (2) or more unrelated and otherwise lawful activities or events are taking place simultaneously.

(b) No business establishment holding a license of any classification pursuant to the Colorado Beer Code, Section 12-46-101 *et seq.*, C.R.S., or the Colorado Liquor Code, Section 12-47-101 *et seq.*, C.R.S., shall promote, hold, conduct or allow in its premises to be promoted, held or conducted any "fight night" or similar event, in which persons are engaged, encouraged and/or compensated for fighting in a manner creating a public display and intended or purported to serve as entertainment.

(c) This Section is not intended to prohibit or limit teenage activities which, as otherwise provided and allowed by applicable law(s), may be advertised and/or held in or upon any such licensed establishment which ceases all alcohol sales for the time of such activity, making alcohol unavailable for sale or provision on the premises during that time.

#### **(d) Penalties.**

(1) Any person, firm, corporation or other entity who violates any of the provisions of this Section or who allows any provision of this Section to be violated commits a misdemeanor and, upon conviction thereof, may be punished as set forth in Chapter 1.32 of this Code, except that any term of imprisonment imposed shall not exceed ninety (90) days.

(2) The issuance of a charge or summons and complaint hereunder against the owner or licensee of a tavern-licensed establishment shall not foreclose or prevent the issuance of a similar charge or complaint against the individual who actually committed the violation or allowed the violation of this Section to occur.

(e) Severability. If any provision of this Section or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions or applications of this Section which can be given effect

without the invalid provision or application, and to this end the provisions of this Section are declared to be severable. (Ord. 29, 2000 §8; Ord. 18, 1998 §1)

*Article IV. Occupational License Fees*

**6.16.370 Liquor and fermented beverage licensees determined; separate occupation.**

The City Council finds, determines and declares that, considering the nature of the business of selling malt, vinous or spirituous liquors and fermented beverages, and the relation of such business to the municipal welfare as well as the relation thereof to the expenditures required of the City and a property, just and equitable distribution of the financial burdens within the City, and all other matters properly to be considered in relation thereto, the classification of such business as a separate occupation is reasonable, proper, uniform and nondiscriminating and necessary for a just and proper distribution of financial burdens within the City. (Ord. 4, 1995 §2(part); Ord. 12, 1983 §2; prior code §3-21(a))

**6.16.380 Fee levied and assessed.**

There is levied and assessed for each year an annual occupational license fee, as set forth in Section 6.16.120, upon the business of selling malt, vinous or spirituous liquors and fermented beverages. (Ord. 4, 1995 §2(part); Ord. 12, 1983 §4; prior code §3-21(b))

**6.16.390 Payment of fee; posting of receipt.**

The occupational license fee for licenses issued on or after February 1, 1976, shall be due and payable to the Director of Finance of the City at the time a license for a malt, vinous or spirituous liquor license or a fermented beverage license is issued and thereafter when the license is renewed. The full-year occupational license fee shall be coterminous with the license year of each licensee. Upon receipt of the fee, the Director of Finance shall execute and deliver to the licensee paying the fee a receipt showing the name of the licensee, the date of payment, the period for which such license is paid and the place at which the licensee conducts business. All persons licensed under Article II of this Chapter shall at all times post such receipts in a conspicuous place in the place of business stated in the license. (Ord. 4, 1995 §2(part); Ord. 12, 1983 §6; prior code §3-21(c))

**6.16.400 Refund of fee on closure of business.**

Any licensee who has paid an occupational fee under Section 6.16.380 and who discontinues his or her business prior to the expiration of his or her license shall be entitled to a refund of the fee for that period of the license year during which the business was discontinued. The occupational license fee shall be prorated by months for the purpose of this Section and the licensee shall receive a refund for those months that the licensee's business was discontinued. (Ord. 4, 1995 §2(part); Ord. 12, 1983 §8; Ord. 56, 1980 §12; prior code §3-21(d))

**6.16.450 Delinquency not grounds for suspension or revocation.**

No delinquency in payment of the occupational license fees provided for in this Article IV shall be grounds for suspension or revocation of any license granted under this Chapter, and in acting as a Licensing Authority the City Council shall exclude from consideration any delinquency in payment of such fees. (Ord. 4, 1995 §2(part); Prior code §3-23(a))

**6.16.460 Recovery right of City.**

It is unlawful to operate any malt, vinous or spirituous liquor establishment or fermented malt beverage establishment within the City without paying the applicable fee imposed by this Article IV, and any person doing so shall be punished as provided in Chapter 1.32. Each day that the delinquency continues shall constitute a separate violation. In addition, the City shall have the right to recover all sums due under this Article IV by judgment and execution thereon in a civil action in any court of competent jurisdiction. (Ord. 4, 1995 §2(part); Prior code §3-23(b))

## *Beer/Liquor License Application Documents Checklist*

### *Application:*

- Original
- Complete all applicable sections
- Authorized signatures
- Attachment to License Application
- Attach appropriate fees (**Refer to License Fee List**)

### *Property Possession:*

- Deed or Lease (**must cover entire license period, one year minimum**) or
- Lease Assignment (**acceptance by applicant, consent by landlord**)
- All documents must be signed
- Floor diagram of premises, 8 ½ X 11, with area to be licensed outlined in red, identify kitchen if Hotel/Restaurant applicant, provide separate diagrams for multiple levels

### *Background Information:*

- Individual History Record(s) (DR 8404-1)
- Completed fingerprint card(s) submitted to local licensing authority
- Certified check/money order or business check payable to the Colorado Bureau of Investigation in the amount of \$38.50 per fingerprint card submitted

### *Management Other than Applicant (Hotel/Restaurant and Tavern applicants only):*

- Manager's Registration fee (**Refer to License Fee List**)
- Individual History Record (DR 8404-1)
- Written Management Agreement, if applicable

*In addition to the above, submit the items listed under your applicant type:*

### *Corporate Applicant (if a corporation):*

- Certificate of Incorporation, and/or
- Certificate of Good Corporate Standing, if incorporated longer than two (2) years
- Certificate of Authorization (if foreign corporation)
- List of Officers, Stockholders, and Directors of parent corporation (if applicable), designate one (1) person as "principal officer"

### *Partnership Applicant (if a partnership):*

- Partnership agreement (general or limited partner, except for husband/wife)

### *Limited Liability Company Applicant (if a limited liability company):*

- Articles of Organization, date stamped by the Colorado Secretary of State's Office
- Copy of Operating Agreement
- Certificate of Authority (if foreign company)

# LIQUOR LICENSE FEE LIST

## City/State

(August, 2011)

License Type	Application Fee	Occupation Tax	License Fee	Total Local Fees	Application Fee (State)	License Fee (State)	Total State Fees
<b>Beer&amp;Wine</b>							
New	\$500.00	\$ 600.00	\$ 48.75	<b>\$1,148.75</b>	\$1,025.00	\$351.25	<b>\$1,376.25</b>
Transfer	450.00	600.00	48.75	<b>1,098.75</b>	1,025.00	351.25	<b>1,376.25</b>
Renewal	100.00	600.00	48.75	<b>748.75</b>	N/A	351.25	<b>351.25</b>
<b>H &amp; R</b>							
New	500.00	1,500.00	75.00	<b>2,075.00</b>	1,025.00	500.00	<b>1,525.00</b>
Transfer	450.00	1,500.00	75.00	<b>2,025.00</b>	1,025.00	500.00	<b>1,525.00</b>
Renewal	100.00	1,500.00	75.00	<b>1,675.00</b>	N/A	500.00	<b>500.00</b>
<b>Tavern</b>							
New	500.00	2,000.00	75.00	<b>2,575.00</b>	1,025.00	500.00	<b>1,525.00</b>
Transfer	450.00	2,000.00	75.00	<b>2,525.00</b>	1,025.00	500.00	<b>1,525.00</b>
Renewal	100.00	2,000.00	75.00	<b>2,175.00</b>	N/A	500.00	<b>500.00</b>
<b>Liquor Store</b>							
New	500.00	500.00	22.50	<b>1,022.50</b>	1,025.00	227.50	<b>1,252.50</b>
Transfer	450.00	500.00	22.50	<b>972.50</b>	1,025.00	227.50	<b>1,252.50</b>
Renewal	100.00	500.00	22.50	<b>622.50</b>	N/A	227.50	<b>227.50</b>
**Optional Wine Tasting Permit**	New - 100.00 Renewal - 25.00	N/A N/A	N/A N/A	<b>100.00</b> <b>25.00</b>	N/A N/A	N/A N/A	N/A N/A
<b>Arts</b>							
New	500.00	500.00	41.25	<b>1,041.25</b>	1,025.00	308.75	<b>1,333.75</b>
Transfer	450.00	500.00	41.25	<b>991.25</b>	1,025.00	308.75	<b>1,333.75</b>
Renewal	100.00	500.00	41.25	<b>641.25</b>	N/A	308.75	<b>308.75</b>
<b>Drugstore</b>							
New	500.00	500.00	22.50	<b>1,022.50</b>	1,025.00	227.50	<b>1,252.50</b>
Transfer	450.00	500.00	22.50	<b>972.50</b>	1,025.00	227.50	<b>1,252.50</b>
Renewal	100.00	500.00	22.50	<b>622.50</b>	N/A	227.50	<b>227.50</b>
<b>Racetrack</b>							
New	500.00	2,000.00	75.00	<b>2,575.00</b>	1,025.00	500.00	<b>1,525.00</b>
Transfer	450.00	2,000.00	75.00	<b>2,525.00</b>	1,025.00	500.00	<b>1,525.00</b>
Renewal	100.00	2,000.00	75.00	<b>2,175.00</b>	N/A	500.00	<b>500.00</b>
<b>Club</b>							
New	500.00	500.00	41.25	<b>1,041.25</b>	1,025.00	308.75	<b>1,333.75</b>
Transfer	450.00	500.00	41.25	<b>991.25</b>	1,025.00	308.75	<b>1,333.75</b>
Renewal	100.00	500.00	41.25	<b>641.25</b>	N/A	308.75	<b>308.75</b>
<b>3.2% Beer Off Premise</b>							
New	500.00	250.00	3.75	<b>753.75</b>	1,025.00	96.25	<b>1,121.25</b>
Transfer	450.00	250.00	3.75	<b>703.75</b>	1,025.00	96.25	<b>1,121.25</b>
Renewal	100.00	250.00	3.75	<b>353.75</b>	N/A	96.25	<b>96.25</b>
<b>3.2% Beer On/Off</b>							
New	500.00	500.00	3.75	<b>1,003.75</b>	1,025.00	96.25	<b>1,221.25</b>
Transfer	450.00	500.00	3.75	<b>953.75</b>	1,025.00	96.25	<b>1,221.25</b>
Renewal	100.00	500.00	3.75	<b>603.75</b>	N/A	96.25	<b>96.25</b>
<b>Brew Pub</b>							
New	500.00	1,500.00	75.00	<b>2,075.00</b>	1,025.00	750.00	<b>1,775.00</b>
Transfer	450.00	1,500.00	75.00	<b>2,025.00</b>	1,025.00	750.00	<b>1,775.00</b>
Renewal	100.00	1,500.00	75.00	<b>1,675.00</b>	N/A	750.00	<b>750.00</b>

License Type	Application Fee	Occupation Tax	License Fee	Total Local Fees	Application Fee (State)	License Fee (State)	Total State Fees
<b>Optional Premises</b> New Transfer Renewal	500.00 450.00 100.00	2,000.00 2,000.00 2,000.00	75.00 75.00 75.00	<b>2,575.00</b> <b>2,525.00</b> <b>2,175.00</b>	1,025.00 1,025.00 N/A	500.00 500.00 500.00	<b>1,525.00+</b> <b>1,525.00+</b> <b>500.00+</b> <b>+100.00/site</b>
<b>Mini Bar w/H&amp;R</b> New Transfer Renewal	N/A N/A N/A	N/A N/A N/A	325.00 325.00 325.00	<b>325.00</b> <b>375.00</b> <b>325.00</b>	N/A N/A N/A	500.00 500.00 500.00	<b>500.00</b> <b>500.00</b> <b>500.00</b>
<b>Bed &amp; Breakfast</b> New Transfer Renewal	N/A N/A N/A	N/A N/A N/A	25.00 25.00 25.00	<b>25.00</b> <b>25.00</b> <b>25.00</b>	N/A N/A N/A	50.00 50.00 50.00	<b>50.00</b> <b>50.00</b> <b>50.00</b>
<b>Change of Location</b>	500.00	N/A	N/A	<b>500.00</b>	150.00	N/A	<b>150.00</b>
<b>Change of Trade Name</b>	\$50.00	N/A	N/A	<b>\$50.00</b>	50.00	N/A	<b>50.00</b>
<b>Manager's Regist.</b>	75.00	N/A	N/A	<b>75.00</b>	75.00	N/A	<b>75.00</b>
<b>Corp/LLC Changes</b> (charged locally or by State)	100.00	N/A	N/A	<b>100.00</b>	100.00	N/A	<b>100.00</b>
<b>Temporary Permit</b>	100.00	N/A	N/A	<b>100.00</b>	N/A	N/A	<b>N/A</b>
<b>Late Renewal</b>	500.00	N/A	N/A	<b>500.00</b>	N/A	N/A	<b>N/A</b>
<b>Modify Premises</b>	150.00	N/A	N/A	<b>150.00</b>	150.00	N/A	<b>150.00</b>
<b>Application Packet Fee</b>	25.00	N/A	N/A	<b>25.00</b>	N/A	N/A	<b>N/A</b>
<b>Duplicate License</b>	50.00	N/A	N/A	<b>50.00</b>	50.00	N/A	<b>50.00</b>
<b>Special Event (Liq)</b>	N/A	N/A	100.00	<b>100.00</b>	N/A	25.00	<b>25.00</b>
<b>Special Event (3.2)</b>	N/A	N/A	100.00	<b>100.00</b>	N/A	10.00	<b>10.00</b>
<b>Special Event Fast Track Fee (Liq &amp; 3.2)</b> filed less than 20 days from event date	50.00	N/A	N/A	<b>50.00</b>	N/A	N/A	<b>N/A</b>
<b>Concurrent Review</b> (new applicants)	N/A	N/A	N/A	<b>N/A</b>	100.00	N/A	<b>100.00</b>



## APPLICATION DOCUMENTS CHECKLIST AND WORKSHEET

**Instructions:** This check list should be utilized to assist applicants with filing all required documents for licensure. **All** documents must be properly signed and correspond with the name of the applicant exactly. **All** documents must be typed or legibly printed. Upon final State approval the license will be mailed to the local licensing authority. Application fees are nonrefundable.

### ITEMS SUBMITTED, PLEASE CHECK ALL APPROPRIATE BOXES COMPLETED OR DOCUMENTS SUBMITTED

#### I. APPLICANT INFORMATION

- A. Applicant/Licensee identified.
- B. State sales tax license number listed or applied for at time of application.
- C. License type or other transaction identified.
- D. Return originals to local authority.
- E. Additional information may be required by the local licensing authority.

#### II. DIAGRAM OF THE PREMISES

- A. No larger than 8 1/2" X 11".
- B. Dimensions included (doesn't have to be to scale). Exterior areas should show control (fences, walls, etc.).
- C. Separate diagram for each floor (if multiple levels).
- D. Kitchen - identified if Hotel and Restaurant.

#### III. PROOF OF PROPERTY POSSESSION

- A. Deed in name of the Applicant ONLY (or)
- B. Lease in the name of the Applicant ONLY.
- C. Lease Assignment in the name of the Applicant (ONLY) with proper consent from the Landlord and acceptance by the Applicant.
- D. Other Agreement if not deed or lease.

#### IV. BACKGROUND INFORMATION AND FINANCIAL DOCUMENTS

- A. Individual History Record(s) (Form DR 8404-I).
- B. Fingerprints taken and submitted to local authority. (State authority for master file applicants.)
- C. Purchase agreement, stock transfer agreement, and or authorization to transfer license.
- D. List of all notes and loans.

#### V. CORPORATE APPLICANT INFORMATION (If Applicable)

- A. Certificate of Incorporation (and/or)
- B. Certificate of Good Standing if incorporated more than 2 years ago.
- C. Certificate of Authorization if foreign corporation.
- D. List of officers, directors and stockholders of parent corporation (designate 1 person as "principal officer").

#### VI. PARTNERSHIP APPLICANT INFORMATION (If Applicable)

- A. Partnership Agreement (general or limited). Not needed if husband and wife.

#### VII. LIMITED LIABILITY COMPANY APPLICANT INFORMATION (If Applicable)

- A. Copy of articles of organization (date stamped by Colorado Secretary of State's Office).
- B. Copy of operating agreement.
- C. Certificate of Authority (if foreign company).

#### VIII. MANAGER REGISTRATION FOR HOTEL AND RESTAURANT, TAVERN LICENSES WHEN INCLUDED WITH THIS APPLICATION

- A. \$75.00 fee.
- B. Individual History Record (DR 8404-I).

<b>6.</b> Is the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) or manager under the age of twenty-one years?	Yes No <input type="checkbox"/> <input type="checkbox"/>												
<b>7.</b> Has the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) or manager ever (in Colorado or any other state); (a) been denied an alcohol beverage license? (b) had an alcohol beverage license suspended or revoked? (c) had interest in another entity that had an alcohol beverage license suspended or revoked? If you answered yes to 7a, b or c, explain in detail on a separate sheet.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>												
<b>8.</b> Has a liquor license application (same license class), that was located within 500 feet of the proposed premises, been denied within the preceding two years? If "yes," explain in detail.	<input type="checkbox"/> <input type="checkbox"/>												
<b>9.</b> Are the premises to be licensed within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?	<input type="checkbox"/> <input type="checkbox"/>												
<b>10.</b> Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any current or former financial interest in said business including any loans to or from a licensee.	<input type="checkbox"/> <input type="checkbox"/>												
<b>11.</b> Does the Applicant, as listed on line 2 of this application, have legal possession of the premises for at least 1 year from the date that this license will be issued by virtue of ownership, lease or other arrangement? <input type="checkbox"/> Ownership <input type="checkbox"/> Lease <input type="checkbox"/> Other (Explain in Detail) _____	<input type="checkbox"/> <input type="checkbox"/>												
a. If leased, list name of landlord and tenant, and date of expiration, EXACTLY as they appear on the lease:													
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:35%; padding: 2px;">Landlord</td> <td style="width:35%; padding: 2px;">Tenant</td> <td style="width:30%; padding: 2px;">Expires</td> </tr> <tr> <td style="height: 20px;"></td> <td></td> <td></td> </tr> </table>	Landlord	Tenant	Expires										
Landlord	Tenant	Expires											
Attach a diagram and outline or designate the area to be licensed (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8 1/2" X 11". (Doesn't have to be to scale)													
<b>12.</b> Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies), will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money from this business. Attach a separate sheet if necessary.													
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:35%;">NAME</th> <th style="width:15%;">DATE OF BIRTH</th> <th style="width:15%;">FEIN OR SSN</th> <th style="width:35%;">INTEREST</th> </tr> </thead> <tbody> <tr> <td style="height: 20px;"></td> <td></td> <td></td> <td></td> </tr> <tr> <td style="height: 20px;"></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	NAME	DATE OF BIRTH	FEIN OR SSN	INTEREST									
NAME	DATE OF BIRTH	FEIN OR SSN	INTEREST										
<i>Attach copies of all notes and security instruments, and any written agreement, or details of any oral agreement, by which any person (including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation.</i>													
<b>13. Optional Premises or Hotel and Restaurant Licenses with Optional Premises</b> Has a local ordinance or resolution authorizing optional premises been adopted?	Yes No <input type="checkbox"/> <input type="checkbox"/>												
Number of separate Optional Premises areas requested. _____ (See License Fee Chart)													
<b>14. Liquor Licensed Drug Store applicants, answer the following:</b> (a) Does the applicant for a Liquor Licensed Drug Store have a license issued by the Colorado Board of Pharmacy? COPY MUST BE ATTACHED.	Yes No <input type="checkbox"/> <input type="checkbox"/>												
<b>15. Club Liquor License applicants answer the following and attach:</b> (a) Is the applicant organization operated solely for a national, social, fraternal, patriotic, political or athletic purpose and not for pecuniary gain? (b) Is the applicant organization a regularly chartered branch, lodge or chapter of a national organization which is operated solely for the object of a patriotic or fraternal organization or society, but not for pecuniary gain? (c) How long has the club been incorporated? _____ (d) How long has applicant occupied the premises to be licensed as a club? (Three years required) _____ (Three years required) _____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>												
<b>16. Brew-Pub License or Vintner Restaurant Applicants answer the following:</b> (a) Has the applicant received or applied for a Federal Permit? (Copy of permit or application must be attached)	<input type="checkbox"/> <input type="checkbox"/>												
<b>17a. Name of Manager (for all on-premises applicants)</b> _____ (If this is an application for a Hotel, Restaurant or Tavern License, the manager must also submit an Individual History Record (DR 8404-I).	Date of Birth <input style="width: 100px; height: 20px;" type="text"/>												
<b>17b.</b> Does this manager act as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number.	Yes No <input type="checkbox"/> <input type="checkbox"/>												
<b>18. Tax Distraint Information.</b> Does the applicant or any other person listed on this application and including its partners, officers, directors, stockholders, members (LLC) or managing members (LLC) and any other persons with a 10% or greater financial interest in the applicant currently have an outstanding tax distraint issued to them by the Colorado Department of Revenue? If yes, provide an explanation and include copies of any payment agreements.	Yes No <input type="checkbox"/> <input type="checkbox"/>												

19. If applicant is a corporation, partnership, association or limited liability company, applicant **must list ALL OFFICERS, DIRECTORS, GENERAL PARTNERS, AND MANAGING MEMBERS.** In addition applicant **must list** any stockholders, partners, or members with **OWNERSHIP OF 10% OR MORE IN THE APPLICANT.** ALL PERSONS LISTED BELOW must also attach form DR 8404-I (Individual History record), and submit finger print cards to their local licensing authority.

NAME	HOME ADDRESS, CITY & STATE	DOB	POSITION	% OWNED*

\*If total ownership percentage disclosed here does not total 100% applicant must check this box

Applicant affirms that no individual other than these disclosed herein, owns 10% or more of the applicant

**Additional Documents to be submitted by type of entity**

- CORPORATION**     Cert. of Incorp.     Cert. of Good Standing (if more than 2 yrs. old)     Cert. of Auth. (if a foreign corp.)  
 **PARTNERSHIP**     Partnership Agreement (General or Limited)     Husband and Wife partnership (no written agreement)  
 **LIMITED LIABILITY COMPANY**     Articles of Organization     Cert. of Authority (if foreign company)     Operating Agrmt.  
 **ASSOCIATION OR OTHER**    Attach copy of agreements creating association or relationship between the parties

Registered Agent (if applicable)

Address for Service

**OATH OF APPLICANT**

*I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer Code which affect my license.*

Authorized Signature

Title

Date

**REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY/COUNTY)**

Date application filed with local authority

Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application 12-47-311 (1)) C.R.S.

**THE LOCAL LICENSING AUTHORITY HEREBY AFFIRMS:**

That each person required to file DR 8404-I (Individual History Record) has:

Yes No

Been fingerprinted .....

Been subject to background investigation, including NCIC/CCIC check for outstanding warrants .....

That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with, and aware of, liquor code provisions affecting their class of license .....

(Check One)

Date of Inspection or Anticipated Date \_\_\_\_\_

Upon approval of state licensing authority.

The foregoing application has been examined; and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 12, Article 46 or 47, C.R.S. **THEREFORE, THIS APPLICATION IS APPROVED.**

Local Licensing Authority for

Telephone Number

TOWN, CITY  
 COUNTY

Signature

Title

Date

Signature (attest)

Title

Date

*Attachment to Liquor/3.2% Beer Retail License Application*

*(Please type or print legibly)*

1. Describe the nature of the proposed establishment and the target market (restaurant, tavern, sports bar, families, college students, etc.):

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2. What are the proposed hours and days of operation for the establishment?

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3. How many individuals will be employed at this proposed establishment and how many will be full-time versus part-time? (please provide responsibilities, for example, manager, assistant manager, bartender, waitstaff, etc.)

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4. Describe your past training and experience in the sale/service of alcohol beverages (include any special or certified training received):

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5. Describe your proposed operating manager's past training and experience in the sale/service of alcohol beverages (include any special or certified training received):

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6. What type of training is proposed for employees at this establishment in the safe and legal sale/service of alcohol beverages?

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7. Describe any other types of training or operating procedures that employees will be following in the day-to-day operation of this proposed establishment:

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8. What methods will be used in checking identification for proper age of patrons (at the door, at the bar, etc.) and how will underage patrons be identified so as not to be served alcohol beverages (stamp, mark on the hand, etc.)?

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9. What types of entertainment will be offered, if any, at this proposed establishment? (for example, music, pool, darts, etc.)

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10. What type of security, if any, will be provided at this proposed establishment?

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11. If security is planned, who will provide such service, and have all applicable licenses been obtained?

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12. What types of alternate beverages and food/snacks will be provided at this proposed establishment?

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13. What is the estimated ratio of food sales to alcohol beverage sales at this establishment?

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I hereby certify, under penalty of perjury, that the information provided to the Greeley Liquor Licensing Authority contained in this Affidavit is true and accurate to the best of my knowledge.

-----  
Applicant's Signature

-----  
Date

## AFFIDAVIT OF TRANSFER AND STATEMENT OF COMPLIANCE

Pursuant to the requirements of 12-47-303(3)(b), Colorado Revised Statutes, Licensee hereby states that all accounts for alcohol beverages sold to the Applicant are:

- Paid in full. There are no outstanding accounts with any Colorado Wholesalers.
- Licensee hereby certifies that the following is a complete list of accounts for alcohol beverages that are unpaid:

\_\_\_\_\_  
\_\_\_\_\_  
*Licensee and Applicant agree that all accounts will be paid for from the proceeds at closing by the:*       Licensee       Applicant

- Licensee unavailable to certify disposition of accounts for alcohol beverages - Inventory list attached. Transfer by operation of law - Regulation 47-304.
- Applicant will assume full responsibility for payment of the outstanding accounts as listed above.
- No alcohol beverage inventory transferred or sold.

Licensee hereby authorizes the transfer of its Colorado Retail Liquor License to the Applicant, its agent, or a company, corporation, partnership or other business entity to be formed by the Applicant.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 200 \_\_\_\_ .

**Seller:**

**Buyer:**

\_\_\_\_\_  
Licensee & License Number

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Trade name

\_\_\_\_\_  
Trade name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Position

\_\_\_\_\_  
Position

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

CITY OF GREELEY  
TEMPORARY LIQUOR PERMIT APPLICATION

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The following must accompany this Temporary Permit Application:

- \$100 Application Fee
  - Transfer of Ownership Application
- 

Name of Applicant (exactly as it appears on Transfer of Ownership application):

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Trade Name of Establishment (dba):

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Address of Premises (exactly as it appears on Transfer of Ownership application):

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Business Phone: \_\_\_\_\_

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

## INDIVIDUAL HISTORY RECORD

To be completed by each individual applicant, all general partners of a partnership, and limited partners owning 10% (or more) of a partnership; all officers and directors of a corporation, and stockholders of a corporation owning 10% (or more) of the stock of such corporation; all limited liability company **MANAGING** members, and officers or other limited liability company members with a 10% (or more) ownership interest in such company and all managers of a Hotel and Restaurant or a Tavern License.

**NOTICE:** This individual history record provides basic information which is necessary for the licensing authority investigation. All questions must be answered in their entirety or your application may be delayed or not processed. **EVERY** answer you give will be checked for its truthfulness. **A deliberate falsehood or omission will jeopardize the application as such falsehood within itself constitutes evidence regarding the character of the applicant.**

1. Name of Business

2. Your Full Name (last, first, middle)	3. List any other names you have used.
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4. Mailing address (if different from residence)	Home Telephone
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5. List all residence addresses below. Include current and previous addresses for the past five years.

STREET AND NUMBER	CITY, STATE, ZIP	FROM	TO
Current			
Previous			

6. List all current and former employers or businesses engaged in within the last five years (Attach separate sheet if necessary)

NAME OF EMPLOYER	ADDRESS (STREET, NUMBER, CITY, STATE, ZIP)	POSITION HELD	FROM	TO

7. List the name(s) of relatives working in or holding a financial interest in the Colorado alcohol beverage industry.

NAME OF RELATIVE	RELATIONSHIP TO YOU	POSITION HELD	NAME OF LICENSEE

8. Have you ever applied for, held, or had an interest in a State of Colorado Liquor or Beer License, or loaned money, furniture or fixtures, equipment or inventory, to any liquor or beer licensee? If yes, answer in detail.  Yes  No

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9. Have you ever received a violation notice suspension or revocation, for a liquor law violation, or have you applied for or been denied a liquor or beer license anywhere in the U.S.? If yes, explain in detail.  Yes  No

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10. Have you ever been convicted of a crime or received a suspended sentence, deferred sentence, or forfeited bail for any offense in criminal or military court or do you have any charges pending? Include arrests for DUI and DWAI. (If yes, explain in detail.)

Yes  No

11. Are you currently under probation (supervised or unsupervised), parole, or completing the requirements of a deferred sentence? (if yes, explain in detail.)

Yes  No

12. Have you ever had any STATE issued licenses suspended, revoked, or denied including a drivers license? (If yes, explain in detail.)

Yes  No

**PERSONAL AND FINANCIAL INFORMATION**

Unless otherwise provided by law in 24-72-204 C.R.S., information provided below will be treated as CONFIDENTIAL. Colorado liquor licensing authorities require the following personal information in order to determine your suitability for licensure pursuant to 12-47-307 C.R.S.

13a. Date of Birth		b. Social Security Number SSN		c. Place of Birth		d. U.S. Citizen? <input type="checkbox"/> Yes <input type="checkbox"/> No	
e. If Naturalized, State where				f. When		g. Name of District Court	
h. Naturalization Certificate Number		i. Date of Certification		j. If an Alien, Give Alien's Registration Card Number		k. Permanent Residence Card Number	
l. Height	m. Weight	n. Hair Color	o. Eye Color	p. Sex	q. Race	r. Do you have a current Driver's License? If so, give number and state <input type="checkbox"/> Yes <input type="checkbox"/> No	

14. Financial Information.

a. Total purchase price \$ \_\_\_\_\_ (if buying an existing business) or investment being made by the applying entity, corporation, partnership, limited liability company, other \$ \_\_\_\_\_

b. List the total amount of your investment in this business including any notes, loans, cash, services or equipment, operating capital, stock purchases and fees paid \$ \_\_\_\_\_

c. Provide details of investment. You must account for the sources of ALL cash (how acquired). Attach a separate sheet if needed.

Type: Cash, Services or Equipment	Source: Name of Bank; Account Type and Number	Amount

d. Loan Information (attach copies of all notes or loans)

Name of Lender and Account Number	Address	Term	Security	Amount

15. Give name of bank where business account will be maintained; Account Name and Account Number; and the name or names of persons authorized to draw thereon.

**Oath of Applicant**

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge.

Authorized Signature	Title	Date
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